

**LFC Requester:****Clint Elkins****AGENCY BILL ANALYSIS  
2016 REGULAR SESSION****WITHIN 24 HOURS OF BILL POSTING, EMAIL ANALYSIS TO:****[LFC@NMLEGIS.GOV](mailto:LFC@NMLEGIS.GOV)***and***[DFA@STATE.NM.US](mailto:DFA@STATE.NM.US)***{Include the bill no. in the email subject line, e.g., HB2, and only attach one bill analysis and related documentation per email message}***SECTION I: GENERAL INFORMATION***{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}**Check all that apply:*

Original ☐ Amendment ☐  
 Correction ☐ Substitute ☒

**Date** February 11, 2016**Bill No:** HB240**Sponsor:** Jimmie Hall & James Townsend  
& Nate Gentry**Agency Code:** 305**Short Title:** **SCHOOL ATTENDANCE LAW  
EARLY WARNING SYSTEM****Person Writing** Rebecca Parish**Phone:** 505-827-6777 **Email** rparish@nmag.gov**SECTION II: FISCAL IMPACT****APPROPRIATION (dollars in thousands)**

Appropriation		Recurring or Nonrecurring	Fund Affected
FY16	FY17		

(Parenthesis ( ) Indicate Expenditure Decreases)

**REVENUE (dollars in thousands)**

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY16	FY17	FY18		

(Parenthesis ( ) Indicate Expenditure Decreases)

**ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)**

	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>	<b>3 Year Total Cost</b>	<b>Recurring or Nonrecurring</b>	<b>Fund Affected</b>
<b>Total</b>						

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:  
Duplicates/Relates to Appropriation in the General Appropriation Act

**SECTION III: NARRATIVE**

**BILL SUMMARY**

This analysis is neither a formal Attorney General's Opinion nor an Attorney General's Advisory Letter. This is a staff analysis in response to an agency's, committee's, or legislator's request.

**Synopsis:** HB240 amends the Early Identification section of the Compulsory School Attendance Law to create an early warning system which alerts schools and parents to student absences in an effort to intervene and prevent habitual truancy.

HB240 create specific dates by which a truancy warning system must be implemented by schools and creates a truancy prevention team. It also imposes truancy reporting obligations on "the department".

HB240 creates a penalty for habitual truancy that would suspend or deny the driving privileges of drivers under the age of 18. It also sets up a system of notice and appeal of such a penalty.

DIFFERENCE FROM PREVIOUS: This substitute Bill does not appear to differ substantively.

There is a change to the language in Section 2 (2) where the members of the "truancy prevention team" are listed as a numbered list instead of a paragraph.

The duties of a truancy coach have been modified in section 3 (b) and (f).

Section 4 language describing probation services has changed to remove "juvenile". Section 4 (c) language has changed. Section 4 (e) language has changed.

**FISCAL IMPLICATIONS**

N/A

**SIGNIFICANT ISSUES**

There appear to be no legal or constitutional barriers to enacting this Bill.

**PERFORMANCE IMPLICATIONS**

N/A

**ADMINISTRATIVE IMPLICATIONS**

N/A

## **CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP**

This Bill appears to duplicate of SB205

## **TECHNICAL ISSUES**

N/A

## **OTHER SUBSTANTIVE ISSUES**

N/A

## **ALTERNATIVES**

N/A

## **WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL** **Status Quo**

## **AMENDMENTS**

N/A